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eBay Inc.,		
,,,	CASE NO. C 08 04052 JF	
Plaintiff(s),		
V. Digital Point Solutions, Inc., et al.	STIPULATION AND {PROPOSED} ORDER SELECTING ADR PROCESS	
Defendant(s)/		
Counsel report that they have met and con following stipulation pursuant to Civil L.R. 16-8 a	ferred regarding ADR and have reached the and ADR L.R. 3-5:	
The parties agree to participate in the following ADR process:		
Court Processes: Non-binding Arbitration (ADR L.F. Early Neutral Evaluation (ENE) (Mediation (ADR L.R. 6)		
(Note: Parties who believe that an early settlement appreciably more likely to meet their needs than a ADR phone conference and may not file this form ADR Phone Conference. See Civil Local Rule 16-	iny other form of ADR, must participate in an in. They must instead file a Notice of Need for	
Private Process: ✓ Private ADR (please identify proce	ess and provider) Private mediation	
through a provider to be later determined by the parties.		
The parties agree to hold the ADR session by: the presumptive deadline (The dead referring the case to an ADR proces	dline is 90 days from the date of the order ess unless otherwise ordered.)	
✓ other requested deadline Within 30 c	days after the close of expert discovery.	
Dated: 12/23/08	Attorney for Plaintiff	

eBay Inc.,		
D1 1 100()	CASE NO. C 08 04052 JF	
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	RUS, MINBAND & SMITH, APC	
Dated: 12/23/08	Sec. Q	
	Leo J. Presiado	
n. I	Attorneys for Defendants	
Dated:	Thunderwood Holdings, Inc.,	
	Brian Dunning and briandunning.com	

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Dated: <u>12/24/08</u>	Attorney for Plaintiff Patrul Hen for Daniel Bernhard
Dated: <u>12/24/08</u>	Patrick Hen for Daniel Bernhard Pursuant to written authorization Daniel Bernhard, on behalf of Defendants Todd Dunning and Dunning Enterprises, Inc.

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Dated: 12/24/08	Attorney for Plaintiff Patrick K. Mc Clellan
Dated: 12/24/08	pursuant to written authorization
	Patrick K. McClellan, on behalf of Defendant Kessler's Flying Circus

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Dated: 12/23/08	
Jaiod. <u>12/23/06</u>	Attorney for Plaintiff
Dated: 12/24/2008	s/Seyamack Kouretchian
	Attorney for Defendant

[PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration

Early Neutral Evaluation (ENE)

Mediation

✓ Private ADR

Deadline for ADR session

90 days from the date of this order.

✓ other As stipulated above.

IT IS SO ORDERED.

Dated: 1/5/09

UNITED STATE DISTRICT

JUDGE